

PLANNING BOARD
Meeting Minutes
Tuesday, September 20, 2011
Town Hall, 120 Main Street
7:00 PM

1 Present: T. Seibert, R. Glover, J. Simons, M. Colantoni, R. Rowen

2 Absent:

3 Staff Present: J. Tymon, J. Enright

4 Meeting began at 7:02pm.

5 **POSTPONEMENTS**

6 CONTINUED PUBLIC HEARING: 350 Great Pond Road, Application for a Watershed Special Permit
7 to construct an addition to an existing home and a new garage.

8
9 CONTINUED PUBLIC HEARING: 2009 Salem Street, Application for a 3 lot Definitive Subdivision
10 Plan.

11
12 CONTINUED PUBLIC HEARING: Merrimack College, 315 Turnpike Street, Application for Special
13 Permit – Site Plan Review. Applicant proposes to expand the Volpe Athletic Center and add 66 parking
14 spaces.

15
16 **DISCUSSION**

17 3 Ironwood Road: Proposal for an addition within the non-discharge zone of the watershed
18 protection district.

19 J. Tymon: Applicant would like to put an addition on the back of his home. Reviewed a plot
20 plan and aerial view with the Board. Conservation has determined the wetlands are
21 approximately 200 feet away which puts this request in the non-discharge zone.

22 David Gruber, 3 Ironwood Road: Requested a waiver to build an addition. Provided an
23 overview of the topography of the land and the project's proximity to the wetlands. The runoff
24 from the lot travels in the opposite direction of the wetland. The natural slope of the land and the
25 natural barrier of Dale Street prevent the runoff from traveling to the wetland which is across
26 Dale Street. Showed construction plans for the proposed addition. All setback requirements will
27 be met.

28 J. Tymon: Suggested drywells be installed to capture the roof runoff.

29 M Colantoni: Asked how many square feet will be added. The answer was 1,200 sq. ft.

30 J. Tymon: There are restrictions on size of additions in the non-disturb zone, but not in the non-
31 discharge zone. The only reason a special permit is required in the non-discharge zone is if are
32 stormwater runoff is being created.

33 R. Rowen: Expressed concern that the runoff during construction phase be addressed.
34 Suggested J. Tymon provides guidance during construction.

35 **MOTION:**

36 T. Seibert made a motion to waive the watershed special permit for 3 Ironwood Road. The
37 motion was seconded by M. Colantoni. The vote was 4 in favor, 0 against, and one abstained.

38
39 Metro PCS: Proposal to add an additional cabinet and swap out three antennas at 203 Turnpike St.

40 J. Tymon: This is an application for renewal of a special permit and a modification to swap out some
41 antennas.

42 Bill McQuade: Representing MetroPCS. There is a hearing scheduled for Oct. 18. Here to advise the
43 Board of the application. Would like to have both the renewal and modification wrapped into the one

PLANNING BOARD
Meeting Minutes
Tuesday, September 20, 2011
Town Hall, 120 Main Street
7:00 PM

44 hearing. The fees have been submitted for the outside consultant review. All application material has
45 been submitted.

46
47 St. Michael's Church: Discussion regarding creation of new parking spaces at 205 Main St.

48 J. Tymon: This discussion is being postponed until the next meeting.
49

50 **BOND RELEASE**

51 673 Great Pond Road: Curt Young is requesting a \$1,000 bond be released.

52 J. Tymon: The paperwork has not been received yet. This will have to wait until the next
53 meeting.
54

55 **PUBLIC HEARINGS**

56 CONTINUED PUBLIC HEARING: 1679 Osgood Street, Definitive Subdivision for 9 single-family
57 residential lots, common driveway, and frontage exception special permits.

58 J. Tymon: No additional information has been submitted since the last meeting. All reviews have been
59 completed. The Health Department has observed the test pits for the septic systems and concluded that
60 there are good soils for the septic systems. Draft Decisions have been prepared.

61 **MOTION:**

62 A motion was made by R. Rowen to close the Public Hearings for the Definitive Subdivision Plan and the
63 two Special Permits. The motion was seconded by T. Seibert. The vote was unanimous.

64 Draft Decisions were reviewed.

65 **MOTION:**

66 A motion was made by T. Seibert to approve the Definitive Subdivision Plan, as amended, for 1679
67 Osgood Street. The motion was seconded by M. Colantoni. The vote was 3-0. J. Simons, T. Seibert, and
68 M. Colantoni voting in favor.

69 **MOTION:**

70 A motion was made by R. Rowan to approve the Common Driveway and Frontage Exception Special
71 Permits for 1679 Osgood Street, as amended. The motion was seconded by T. Seibert. The vote was
72 unanimous.
73

74 CONTINUED PUBLIC HEARING: 5 Boston Hill, AT&T is requesting a Modification to a Wireless
75 Special Permit.

76 J. Tymon: A structural report analysis was submitted. There is a recommendation in the report that has
77 been incorporated in the Decision.

78 J. Simons: Asked if anyone from the public wanted to comment.

79 There were no comments.

80 **MOTION:**

81 A motion was made to close the Public Hearing for 5 Boston Hill by T. Seibert. The motion was
82 seconded by R. Glover. The vote was unanimous.

83 Draft Decision was reviewed.

84 Henry Fink, Turnpike Street: asked what the modification was.

85 Susan Roberts, Representing AT&T: Explained there will be three additional antennas added to the
86 structure.

87 **MOTION:**

PLANNING BOARD
Meeting Minutes
Tuesday, September 20, 2011
Town Hall, 120 Main Street
7:00 PM

A motion was made by R. Glover to approve the Decision, as amended, for 5 Boston Hill granting a new wireless special permit and to modify the pre-existing facility. The motion was seconded by T. Seibert. The vote was unanimous.

S. Roberts: requested the Board grant the waiver requests and that the dates for annual compliance reports be tied to the date of the Decision.

J. Simons: The waivers will be stated in the Decision.

CONTINUED PUBLIC HEARING: 723 Osgood Street, AT&T is requesting a Modification to a Wireless Special Permit.

J. Tymon: There has not been any additional information submitted.

MOTION:

A motion was made by R. Rowen to close the Public Hearing for 723 Osgood Street. The motion was seconded by M. Colantoni. The vote was unanimous.

Draft Decision was reviewed.

MOTION:

A motion was made by R. Glover to approve the Wireless Special Permit for 723 Osgood Street, as amended this evening. The motion was seconded by T. Seibert. The vote was unanimous.

CONTINUED PUBLIC HEARING: 1780 Osgood Street, Application for Special Permit – Site Plan Review. Applicant proposes interior renovations to expand existing office space, removal of bottom four feet of metal cladding and replacing with masonry on north side of the building only, and construction of a 60' x 50' garage addition.

J. Tymon: The project has been reviewed by L. Eggleston and the applicant has replied to all of her concerns. There are no open issues at this point.

Michael O'Neil, LMR Engineering: Reviewed the response to L. Eggleston and the changes made to the plans since the last meeting.

J. Simons: Stated the hearing will be closed at the next meeting and a vote will be taken.

NEW PUBLIC HEARING: 1275 Turnpike Street, The Shelter Group, Application for Special Permit – Lot Slope Exception to permit the alteration of slope areas in connection with the construction of a continuing care retirement facility.

J. Tymon: Explained that there is a requirement in the Bylaw that requires a Special Permit to disturb slopes 3:1 or greater for more than 30' and that is the case for this project. Paul Marchionda will show where the slopes are on the plans. The plans are not changing. The retaining wall is staying in the same spot, the building is staying in the same spot, and all the conditions for a Lot Slope Special Permit have already been provided for in the conditions for the CCRC Special Permit.

J. Simons: The functionally we have already approved what they are requesting. We just didn't do it specifically.

J. Tymon: They have already met the requirements for this Special Permit. A Decision has been drafted.

John Smolak, Representing The Shelter Group: The plan shows that the defined slope area is about 1.1 acres of which 18,000 sq. ft is being disturbed. The Board did review this project and we recently noticed that this Permit wasn't covered. This is more procedural than substantive.

Henry Fink, Turnpike Street: Concerned with the amount of water that may be generated. Requested strongly that there be no blasting.

MOTION

PLANNING BOARD
Meeting Minutes
Tuesday, September 20, 2011
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A motion was made by T. Seibert to close the Public Hearing for 1275 Turnpike Street Lot Slope Exception Special Permit. The motion was seconded by M. Colantoni. The vote was unanimous. Draft Decision was reviewed.

MOTION

A motion was made by R. Rowen to approve the Lot Slope Exception Special Permit for The Shelter Group, 1275 Turnpike Street, as amended this evening. The motion was seconded by R. Glover. The vote was unanimous.

MEETING MINUTES: Approval of September 6, 2011 meeting minutes.

A motion was made by R. Glover to approve the meeting minutes for September 6, 2011. The motion was seconded T. Seibert. The vote was unanimous.

Next year's Planning Board meeting scheduled was reviewed.

ADJOURNMENT

MOTION

A motion was made by T. Seibert to adjourn the meeting. The motion was seconded by M. Colantoni. The vote was unanimous.

The meeting adjourned at 8:25pm

MEETING MATERIALS: Agenda, Draft Decision for 1679 Osgood Street Definitive Subdivision Plan, Draft Decision Common Driveway and Frontage Exception Special Permits 1679 Osgood Street, Draft Decision AT&T 5 Boston Hill Wireless Special Permit, Draft Decision AT&T 723 Osgood Street Wireless Special Permit, Eggleston Environmental review memo dated 8/24/2011 re: 1780 Osgood St review. 1780 Osgood Street Detail Plan, 1780 Osgood Street Site Plan, Draft Decision 1275 Turnpike Street Lot Slope Exception Special Permit, Notice of Decision 1275 Turnpike Street dated 4/6/2010, Meeting Minute draft 9/6/2011, 3 Ironwood Rd Plot Plan, Aerial view 3 Ironwood Rd., Proposed 2012 Planning Board meeting schedule.